

-12-

Serial No.: 09/529,232

**REMARKS**

Claims 1 to 6 and 9 to 14 are pending in the application.

**Object to Oath**

With respect to the Oath being allegedly defective, enclosed herewith is a new Combined Declaration and Power of Attorney form, freshly signed by the inventors. Please note that inventor Jacek Slon has moved since the filing of the application, and thus the newly signed Declaration has been executed with his new address.

**Specification/Claims Objections**

With respect to the Specification/Claims objections, the Examiner will note that page 2, line 30, page 8, line 33 and claims 1, 3, and 4 have been amended as suggested to overcome any objections. With respect to the objection to page 1, line 28, the objected expression could not be found therein. However, the objected expression was found on page 4, line 28, and has thus been amended to overcome the objection.

**Claim Rejection - 35 USC §101**

Claims 7 and 8 have been rejected under 35 USC §101. As the Examiner will note, these claims have been deleted, thus rendering the rejection moot.

**Claim Rejections - 35 USC §112, second paragraph**

Claims 1 to 14 have been rejected under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. More particularly, claim 1 and every claim dependent thereon have been rejected as being indefinite because the "S subsite" has allegedly not been defined in the specification. The Examiner is unclear as to whether or

-13-

Serial No.: 09/529,232

not "S" refers to a part of "AS" or to a scine binding site, or has a meaning, i.e. a substrate binding site.

S in the expression a "S subsite" is a part of the "AS" moiety and represents in fact the "S" subsite blocking segment of thrombin. In this respect, enclosed is a first article (Schechter and Berger, *Biochem. Biophys. Res. Comm.*, 27(2), 157-162, 1967) defining or illustrating the nomenclature of the various subsites, and a second article (Slon-Usakiewicz et al., *Biochemistry* 39:2384-2391, 2000) illustrating how this nomenclature is to be used with thrombin. In light of these two articles, it is respectfully submitted that one skilled in the art would have no hesitation in identifying the S subsite blocking segment of thrombin, and thus the claims are believed to be clearly defined for one skilled in the art. Accordingly, reconsideration and withdrawal of the Examiner's rejection of claim 1 and every claim dependent thereon, is earnestly solicited.

Claims 2, 5, 6, 9 and 10 have been rejected under 35 USC §112, second paragraph, as being indefinite for lacking various antecedents. As the Examiner will note, claims 2, 5, 6, 9 and 10 have been amended to overcome the rejection by providing the antecedent needed. No new matter has been introduced by such amendment.

Claims 7 and 8 have been rejected under 35 USC §112, second paragraph. As previously mentioned, these claims have been deleted, rendering the rejection moot.

**Claim Rejections - 35 USC §112, first paragraph**

Claims 9 to 14 have been rejected under 35 USC §112, first paragraph, as the specification allegedly does not provide enablement for a method for preventing. However, the Examiner, in the same paragraph acknowledges that the specification is enabling for a method for treating vascular diseases. Accordingly, in order to expedite

-14-

Serial No.: 09/529,232

the prosecution of this application, claims 9 to 14 have been restricted to a method of treatment enabled by the specification, as acknowledged by the Examiner. Any reference to a method for prevention has been deleted from the claims. In view of the above and the foregoing, reconsideration and withdrawal of the Examiner's rejection of claims 9 to 14 under 35 USC §112, first paragraph is earnestly solicited.

Applicants submit that no new matter has been added by the present amendments.

It is submitted, therefore, that the claims are now in condition for allowance, and prompt and favorable action in the form of a Notice of Allowance is earnestly solicited.

In the event that there are any questions concerning this amendment or the application in general, the Examiner is respectfully urged to telephone the undersigned so that prosecution of this application may be expedited.

No additional fees are believed to be necessitated by this amendment. However, should this be in error, authorization is hereby given to charge Deposit Account No. 19-5113 for any underpayment or to credit any overpayment.